HWG | HARRIS, WILTSHIRE & GRANNIS LLP

October 17, 2019

**Ex Parte**

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

*Re:* *Media Bureau Seeks Comment on Joint Petition for Rulemaking of APTS, AWARN Alliance, CTA, and NAB Seeking to Authorize Permissive Use of the next Generation TV Broadcast Television Standard*, MB Docket No. 16-142

On October 15, 2019, Paul Garnett, Paula Boyd, and Michael Daum of Microsoft Corporation as well as Paul Caritj and I of Harris, Wiltshire & Grannis LLP met with representatives of the Media Bureau and the Office of Engineering and Technology to discuss the pending request by certain broadcast interests to obtain additional channels to facilitate the voluntary, market-based ATSC 3.0 transition. A complete list of meeting participants is attached.

We first provided an update on Microsoft's Rural Airband initiative through which Microsoft, in collaboration with local partners, has struck agreements to provide broadband connectivity to more than three million previously unserved rural Americans. Microsoft also noted that it recently announced its goal to extend internet access to 40 million unserved and underserved people around the globe by July 2022.

Microsoft explained that it supports ATSC 3.0 and believes that it will lead to important gains for consumers. But granting a second channel to every licensee in the country for voluntary ATSC 3.0 simulcasts is unnecessary to the transition. Moreover, given the lack of unused spectrum in urban areas and plentitude of available simulcast partners there, urban broadcasters will readily make the transition without the allocation of a second channel. And in rural areas, the cost of leveraging a second allocated channel is sure to be prohibitive for many.

The record in this proceeding provides no evidence that there is any true need for these extra simulcast channels. On the contrary, broadcasters initiated the ATSC 3.0 transition with the express representation that no additional spectrum would be necessary.[1] Further, doubling the spectrum holdings of every broadcaster in the nation, without an auction or an end date, is inconsistent with FCC spectrum policy and would undermine the FCC's policy of improving broadband connectivity in rural communities.

Sincerely,

Paul Margie
*Counsel to Microsoft Corporation*

Enclosure

Cc: Meeting participants

[1] Joint Petition for Rulemaking of America's Public Television Stations, AWARN Alliance, Consumer Technology Association, and National Association of Broadcasters at 14, GN Docket No. 16-142 (filed Apr. 13, 2016)

## Meeting Attendees

**Media Bureau**

Evan Baranoff
Mark Colombo
Kevin Harding
Barbara Kreisman
Evan Morris
Brendan Murray

**Office of Engineering and Technology**

Martin Doczkat
Paul Murray
Hugh van Tuyl

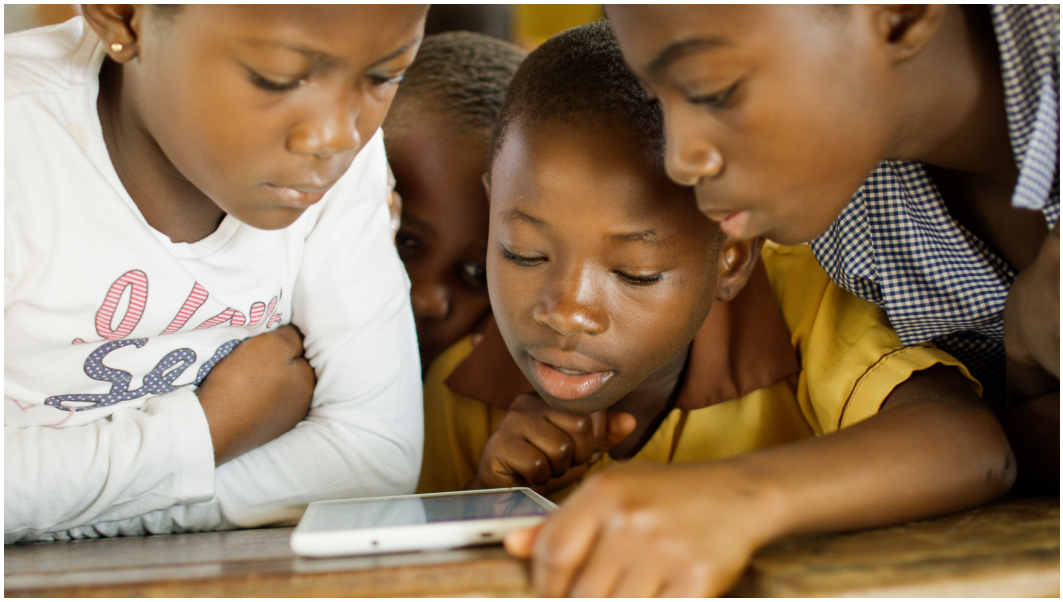
**Microsoft Corporation**

Paula Boyd
Michael Daum
Paul Garnett

**Harris, Wiltshire & Grannis LLP**

Paul Caritj
Paul Margie

# The path to prosperity through access to high-speed internet



Last year, the world reached a major modern milestone – as of 2018, half of the world's population is online with some form of internet connection. The bad news is that, despite this progress, this status quo still puts billions of people on the wrong side of the digital divide. Leaving half the world without access to the electricity of today's age – internet access, and increasingly at broadband speeds – means that existing inequalities, poverty and insecurity will persist, worsen and become increasingly difficult to address.

Efforts to accelerate internet access globally, with a focus on developing nations, are not new. But it's clear that the world needs a new approach to this work. The UN State of Broadband Report found that broadband adoption has slowed, and progress is especially elusive in low-income countries and rural areas across the globe. Most of the connected population relies on low speed, basic cellular services and only 14.1% of the global population has an in-home internet subscription.

That is why Microsoft is reaffirming our commitment to global connectivity today at the Devex Conference on International Finance. Through the new international track of the Airband Initiative, our goal is to extend internet access to 40 million unserved and underserved people around the globe by July 2022. We'll concentrate our efforts to areas

with significant underserved populations – initially, Latin America and Sub-Saharan Africa – that also have regulatory interest in solving connectivity issues. Extending internet access to 40 million people around the world in the span of three years is a big task – but it's informed by our ongoing work in connectivity, experience with partners and engagement from development finance institutions.

In the past, we've done this work on a project-by-project basis spanning across Africa, Latin America and Asia. In the U.S., we formalized our connectivity work in 2017 by launching the Airband Initiative, with the goal of bringing broadband connectivity to 3 million people in rural America by July 2022, and today marks the formalization of the international work within the Initiative.

## How the program will work

Like our work in the U.S., our goal is to empower local partners who know their communities' geographies and needs to solve their community's last mile connectivity challenges. Experience has taught us that diverse challenges require diverse solutions. What works in one part of South Africa may not be a fit for Ghana. A wireless technology or a business model that is suitable for connecting customers in one location might not be suitable for connecting customers in another location. Bringing broadband access to the world's unserved communities will require much greater reliance on innovative technologies, regulatory approaches and business models. Our experience has shown us that a multi-stakeholder approach is needed to close the connectivity gap. While we might go faster alone, we go much farther together. For this reason, these programs seek to combine our and our partners' expertise and assets.

Airband International will rely on a four-part approach:

- Removing regulatory obstacles to TV White Space (TVWS) and other technologies that help our partners extend their networks quickly in unserved, predominantly rural, areas.
- Partnering with local internet service providers (ISPs) to provide affordable, reliable internet services.
- Enabling rural digital transformation in newly connected areas, with a focus on supporting agriculture, education, rural entrepreneurship and telemedicine, as well as off-grid energy sources where necessary in order to improve rural productivity and livelihood.

- Building a larger ecosystem of support, with a focus on stimulating international financing, to scale connectivity projects beyond our own direct investments.

## Early signs of success

We know that new technologies like TVWS can be incredibly useful in meeting rural connectivity needs at an affordable price. However, regulatory frameworks in many parts of the world have not kept pace with innovation. We've seen great progress from engagements to date. In Colombia, as we started our work to create a long-term solution for the Meta region, we sat down with the national spectrum regulator to understand the region's needs, existing regulations and to determine any gaps. In Ghana, we partnered with government officials to ensure strong regulations were in place to deploy long-term solutions such as TVWS.


In Colombia, we worked with regulators to create a framework that will now allow us to extend access to 6 million people throughout the country. Photo credit: Colombian Ministry of ICT

Once these hurdles are removed, partners around the world are poised to move quickly and deliver big results. BLUETOWN is a connectivity and digital content service provider

committed to making broadband connectivity more accessible. With regulations in Ghana now permitting access to the TVWS, BLUETOWN is on a path to bring affordable broadband access to over 800,000 people living in the rural eastern part of Ghana who were previously underserved.

These large-scale gains in connectivity are not limited to smaller countries, nor does it stop at connectivity alone. In Colombia, with coffee company Lavazza, ALO partners, Makaia and Microsoft's support, a small project connected two schools and five farms to broadband via TVWS technology – perfect technology for the region's jungled and mountainous terrain. It has continued to grow, and now includes an agreement between Lavazza, Microsoft and the National Coffee Growers Association of Colombia that will result in the rural digital transformation for half a million small coffee farmers in the region. Additionally, Airband has co-invested with ISPs in Colombia to extend broadband access to 6 million rural Colombians – that's 12% of Colombia's total population.

This work was accelerated by a partnership with the Inter-American Development Bank (IDB). Additional financing is critical to bring these from small projects to scale. The partners invited IDB to join, and this support has helped create results and a blueprint that can be showcased in other countries of the region to accelerate this work.

## Looking forward

To close the digital divide once and for all, we need to act to connect the world quickly. This will require the engagement of companies like Microsoft, but importantly, the financial support of international financing organizations around the world. Internet connectivity and technology infrastructure has made up a very small percentage of development bank funding historically, and that will need to change to bring connectivity to the more than three billion people around the globe who lack access to some form of internet connection. To help tackle these challenges, international financing organizations also need to be willing to make bets on local entrepreneurs deploying innovative new technologies and business models better suited to reaching the remaining unconnected communities.

Through our work and our engagement, we hope to not just connect people, but provide a blueprint for other public and private sector entities to think about connectivity as a core part of their investments in health, gender equity, water, energy or any other core area of sustainable development.

There are too many things that divide us in the world today. The internet can bring us closer together, foster new understandings and connections and remove structural barriers to opportunity and equality. Airband International is focused on doing just that, and we hope that you'll add your support to these efforts as we move forward.